

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT

SEP 07 2010

FOR THE EASTERN DISTRICT OF TEXAS

DAVID J. MALAND, CLERK

SHERMAN DIVISION

BY  
DEPUTY \_\_\_\_\_

TIMOTHY C. CULLUM, #1366089

§

VS.

§

CIVIL ACTION NO. 4:10cv388

DIRECTOR, TDCJ-CID

§

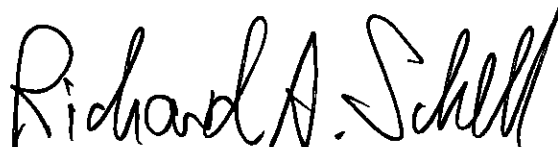
ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be dismissed as time-barred. The Petitioner has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Petitioner to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Petitioner are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 7<sup>th</sup> day of September, 2010.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE